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12 Defendant in Pro Per

13 UNITED STATES DISTRICT COURT

14 FOR THE NORTHERN DISTRICT OF CALIFORNIA

15 SHOP IRONWORKERS LOCAL 790
 16 PENSION PLAN, et al.

17 Plaintiffs,

18 vs.

19 RUSSELL S. ZAPPETINI, et al.,

20 Defendants.

Case No.: 15-1038 VC

**STIPULATED REQUEST TO
 CONTINUE THE CASE
 MANAGEMENT CONFERENCE
 PURSUANT TO STIPULATION;
 AND ~~PROPOSED~~ ORDER]**

Date: June 2, 2015

Time: 10:00 a.m.

Location: 450 Golden Gate Avenue
 San Francisco, CA 94102
 Courtroom: 4, 17th Floor

Judge: Honorable Vince Chhabria

23 The parties hereby submit this Request to Continue the Case Management Conference
 24 currently scheduled for June 2, 2015, at 10:00 a.m. to Tuesday, November 24, 2015, at 10:00 a.m.,
 25 or such other date thereafter that is convenient to the Court. Good cause exists for the granting of
 26 the continuance, as follows:

- 27 1. A Complaint was filed in this matter by Plaintiffs on March 5, 2015. Docket No. 1.

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 REQUEST TO CONTINUE CMC

2. Service on Defendant Russell S. Zappetini was effectuated on March 13, 2015. A Proof of Service on Summons for Defendant Russell S. Zappetini was filed with the Court on March 18, 2015. Docket No. 14. Defendant Russell S. Zappetini has failed to plead or otherwise defend or appear in this action, and the time permitted for such pleading, defense, or other appearance has run. Plaintiffs filed a Request for Entry of Default against Defendant Russell S. Zappetini on April 16, 2015. Docket No. 16.

3. Service on Defendant David J. Zappetini, an individual and trustee of the David J. Zappetini and Carolyn Zappetini Revocable Intervivos Trust dated December 27, 2007, was effectuated on March 13, 2015. The Proofs of Service on Summons for Defendant David J. Zappetini were filed with the Court on March 18, 2015. Docket Nos. 12-13. The time for Defendant David J. Zappetini to submit to Plaintiffs an Answer to the Complaint expires on May 8, 2015.

4. On April 15, 2015, the parties met and conferred and agreed to file a stipulation and proposed order selecting mediation and agreed to scheduling the mediation within 120 days from the date of the Court's Order referring the case to mediation.

5. This is the first request to continue the Initial Case Management Conference. This request is made in order for the parties to have sufficient opportunity to conduct discovery and attempt to resolve this matter by mediation within 120 days from the date of the Court's Order referring the case to mediation before incurring the expense, and using the Court's resources, in proceeding with the initial Case Management Conference.

6. Based on the foregoing, the parties respectfully request that this Court continue the Case Management Conference to Tuesday, November 24, 2015, at 10:00 a.m., or such other date thereafter that is convenient to the Court. The effect of this requested time modification would extend the date of the initial Case Management Conference and related deadlines.

Dated: April 16, 2015

SALTZMAN & JOHNSON LAW CORPORATION

By: Angeli M. Cargain
Angeli M. Cargain
Attorneys for Plaintiffs

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REQUEST TO CONTINUE CMC

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1 Dated: 5/12, 2015

2 By:

3 David J. Zappetini
Defendant in Pro Per

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5 **ORDER**

6 Based on the foregoing, and good cause appearing, the Case Management Conference is
7 continued to Tuesday, November 24, 2015, at 10:00 a.m. The parties must submit file a Joint
8 Case Management Conference Statement by November 17, 2015. All related deadlines are
9 extended accordingly.

10 IT IS SO ORDERED.

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12 Date: May 14, 2015

13 THE HONORABLE VINCE CHHABRIA
14 UNITED STATES DISTRICT JUDGE
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REQUEST TO CONTINUE CMC